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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 JEROME CEASAR ALVERTO,
8
9 Plaintiff,

10 v.

11 DEPARTMENT OF CORRECTIONS,
12 C/O FINCH, C/O PERCIFIELD, C/O
13 GRIJALVA, SGT. C. ROOP,
14 HERBERT C. PENROSE, MICHAEL
15 ESTES, KRISTI ENTROP, DR.
16 JUGUILON, STEPHEN SINCLAIR,
17 RAYMOND BUCHMANN, C/O
18 ADAMIRE, RON FRAKER, ROB
19 JACKSON, COUNSELOR WALKER,
20 KURT GRUBB, C/O DELEON, C/O
21 PALMER, JASON ROMERO, ADELE
22 WILLIAMS, BRYAN MCGARVIE,
23 DARREN HEAWARD, DENISE
24 LARSON, LT. TOM TABER, JASON
25 ULRICH, and STATE OF
26 WASHINGTON,

Defendants.

NO. C11-5572 RJB/KLS

ORDER DENYING PLAINTIFF'S
MOTION TO WITHDRAW
ORIGINAL COMPLAINT AND
GRANTING EXTENSION

Before the Court are Plaintiff's motions to amend and for an extension of time. ECF
Nos. 8 and 9. For the reasons stated below, the motion to amend is denied and Plaintiff is
granted an extension of time to provide the Court with copies of his complaint and addresses
for the Defendant.

Mr. Alverto filed his motion for leave to proceed *in forma pauperis* and a proposed civil rights complaint on July 25, 2011. ECF No. 1. On July 28, 2011, that motion was granted and the Clerk docketed the complaint. ECF Nos. 5 and 6. By letter dated July 27, 2011, the Clerk directed Plaintiff to provide addresses for each named defendant and copies of the complaint for service on the defendants. ECF No. 4. Plaintiff was given a deadline of August 29, 2011 to provide the needed addresses and copies of the complaint so that the Court could serve the complaint on the named defendants. *Id.*

DISCUSSION

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1 responsive pleading or 21 days after service of a motion under Rule 12(b), (e) or (f),
2 whichever is earlier.”

3 Plaintiff’s original complaint has not yet been served because Plaintiff has not yet
4 provided the Court with addresses for the Defendants. Plaintiff appears to be confused by the
5 assignment of a case number to this case and the Clerk’s directive that he provide service
6 addresses. There are not two case numbers for Plaintiff’s complaint. The Clerk originally
7 assigned a tracking number (P#1572) to Plaintiff’s correspondence received by the Clerk from
8 Plaintiff before Plaintiff had ever filed a complaint. ECF No. 8, p. 4. After Plaintiff filed his
9 application to proceed *in forma pauperis* and a complaint, the Clerk assigned the Case
10 Number C11-5572RJB/KLS to this case and advised Plaintiff accordingly. ECF No. 4.
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12 Plaintiff did not submit a proposed amended complaint for the Court’s review. It does
13 not appear that he wishes to amend his complaint in any substantive way (by adding
14 defendants or claims) but instead, wants to withdraw his complaint and then resubmit it as an
15 amended complaint, along with the required information for service. This is not necessary.
16 Plaintiff simply needs to provide the Court with a list of addresses for each of the defendants
17 listed on his complaint. Plaintiff also needs to make 26 copies of his 127 page complaint so
18 that the Court may direct service of the complaint on each of the Defendants. The Court will
19 grant Plaintiff an extension of time to do this.
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22 If Plaintiff truly wishes to amend his complaint to add claims or defendants, he will
23 need to first provide the Court with a full copy of his amended complaint so that the Court
24 may review it. The filing of an amended complaint supersedes the original in its entirety.
25 This means that the original will be as if it never existed. Thus, if Plaintiff wishes to amend
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1 his complaint, he must set forth all of the parties, claims and damages in a proposed amended
2 complaint and submit it for the court's review. The amended complaint must be complete in
3 itself without reference to the original complaint.

4 Accordingly, it is **ORDERED:**

5 (1) Plaintiff's motion to amend (ECF No. 8) is **DENIED.**

6 (2) Plaintiff's motion for an extension of time (ECF NO. 9) is **GRANTED;**

7 Plaintiff shall submit addresses for each of the listed defendants and 26 copies of his
8 complaint (with attachments), **on or before September 30, 2011.**

9 **DATED** this 30th day of August, 2011.

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13 Karen L. Strombom
14 United States Magistrate Judge
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